

§ 51.1858

- (3) Sunscald.
- (c) Not seriously damaged by any other cause.
- (d) For tolerances see § 51.1861.

§ 51.1858 U.S. No. 3.

“U.S. No. 3” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
 - (1) Similar varietal characteristics;
 - (2) Mature;
 - (3) Not overripe or soft;
 - (4) Clean;
 - (5) Well developed; and,
 - (6) May be mishapen.
- (b) Free from:
 - (1) Decay; and,
 - (2) Freezing injury.
- (c) Not seriously damaged by:
 - (1) Sunscald.
- (d) Not very seriously damaged by any other cause.
- (e) For tolerances see § 51.1861.

SIZE

§ 51.1859 Size.

(a) The size of tomatoes packed in any standard type shipping container shall be specified and marked according to one of the size designations set forth in Table I. Individual containers shall not be marked with more than one size designation. Consumer packages and their master container are exempt; however, if they are marked, the same requirements would apply.

(1) When containers are marked in accordance with Table I, the markings on at least 85 percent of the containers in a lot must be legible.

(2) In determining compliance with the size designations, the measurement for minimum diameter shall be the largest diameter of the tomato measured at right angles to a line from the stem end to the blossom end. The measurement for maximum diameter shall be the smallest dimension of the tomato determined by passing the tomato through a round opening in any position.

(b) In lieu of marking containers in accordance with paragraph (a) of this section or specifying size in accordance with the dimensions defined in Table I, for Cerasiforme type tomatoes commonly referred to as cherry tomatoes

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and Pyriforme type tomatoes commonly referred to as pear shaped tomatoes, and other similar types, size may be specified in terms of minimum diameter or minimum and maximum diameter expressed in whole inches, and not less than thirty-second inch fractions thereof, or millimeters in accordance with the facts.

(1) Tomatoes of these types are exempt from marking requirements. However, when marked to a minimum or minimum and maximum diameter, the markings on at least 85 percent of the containers in a lot must be legible.

(c) For tolerances see § 51.1861.

TABLE I

Size designation	Inches	
	Minimum diameter ¹	Maximum diameter ²
Small	2 ¹ / ₃₂	2 ⁹ / ₃₂
Medium	2 ⁸ / ₃₂	2 ¹⁷ / ₃₂
Large	2 ¹⁶ / ₃₂	2 ²⁵ / ₃₂
Extra large	2 ²⁴ / ₃₂	

¹ Will not pass through a round opening of the designated diameter when tomato is placed with the greatest transverse diameter across the opening.

² Will pass through a round opening of the designated diameter in any position.

[56 FR 21915, May 13, 1991; 56 FR 32474, July 16, 1991]

COLOR CLASSIFICATION

§ 51.1860 Color classification.

(a) The following terms may be used, when specified in connection with the grade statement, in describing the color as an indication of the stage of ripeness of any lot of mature tomatoes of a red fleshed variety:

(1) *Green*. “Green” means that the surface of the tomato is completely green in color. The shade of green color may vary from light to dark;

(2) *Breakers*. “Breakers” means that there is a definite break in color from green to tannish-yellow, pink or red on not more than 10 percent of the surface;

(3) *Turning*. “Turning” means that more than 10 percent but not more than 30 percent of the surface, in the aggregate, shows a definite change in color from green to tannish-yellow, pink, red, or a combination thereof;

(4) *Pink*. “Pink” means that more than 30 percent but not more than 60

percent of the surface, in the aggregate, shows pink or red color;

(5) *Light red*. "Light red" means that more than 60 percent of the surface, in the aggregate, shows pinkish-red or red: *Provided*, That not more than 90 percent of the surface is red color; and,

(6) *Red*. "Red" means that more than 90 percent of the surface, in the aggregate, shows red color.

(b) Any lot of tomatoes which does not meet the requirements of any of the above color designations may be designated as "Mixed Color".

(c) For tolerances see §51.1861.

(d) Tomato color standards U.S.D.A. Visual Aid TM—L—1 consists of a chart containing twelve color photographs illustrating the color classification requirements, as set forth in this section. This visual aid may be examined in the Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, South Building, Washington, D.C. 20250; in any field office of the Fresh Fruit and Vegetable Inspection Service; or upon request of any authorized inspector of such Service. Duplicates of this visual aid may be purchased from The John Henry Co., Post Office Box 1410, Lansing, Michigan 48904.

[38 FR 23932, Sept. 5, 1973, as amended at 40 FR 2791, Jan. 16, 1975. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981]

TOLERANCES

§51.1861 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) *U.S. No. 1*—(1) *For defects at shipping point*.² Ten percent for tomatoes in any lot which fail to meet the requirements for this grade: *Provided*, That not more than one-half of this tolerance, or 5 percent, shall be allowed for defects causing very serious dam-

age, including therein not more than 1 percent for tomatoes which are soft or affected by decay; and,

(2) *For defects en route or at destination*. Fifteen percent for tomatoes in any lot which fail to meet the requirements for this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) Five percent for tomatoes which are soft or affected by decay;

(ii) Ten percent for tomatoes which are damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes; and,

(iii) Ten percent for tomatoes which are otherwise defective: *And provided further*, That not more than 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

(b) *U.S. Combination*—(1) *For defects at shipping point*.² Ten percent for tomatoes in any lot which fail to meet the requirements of the U.S. No. 2 grade: *Provided*, That not more than one-half of this tolerance, or 5 percent, shall be allowed for defects causing very serious damage, including 1 percent for tomatoes which are soft or affected by decay; and,

(2) *For defects en route or at destination*. Fifteen percent for tomatoes in any lot which fail to meet the requirements of the U.S. No. 2 grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) Five percent for tomatoes which are soft or affected by decay;

(ii) Ten percent for tomatoes which are seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes; and,

(iii) Ten percent for tomatoes which are otherwise defective: *And provided further*, That not more than 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

(c) *U.S. No. 2*—(1) *For defects at shipping point*.² Ten percent for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-half of this tolerance, or 5 percent, shall be allowed

²Shipping point, as used in these standards, means the point of origin of the shipment in producing area or at port of loading for ship stores or overseas shipment, or in the case of shipments from outside the continental United States, the port of entry into the United States.